

AMENDED IN SENATE AUGUST 22, 2000

AMENDED IN SENATE JUNE 21, 2000

AMENDED IN ASSEMBLY MAY 28, 1999

AMENDED IN ASSEMBLY APRIL 15, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 93

**Introduced by Assembly Members Cedillo, Gallegos, and
Villaraigosa
(Principal coauthors: Assembly Members Firebaugh and
Wildman)**

December 10, 1998

An act to add Section 12693.755 to the Insurance Code, and to amend Sections 14011.15 and 14012 of the Welfare and Institutions Code, relating to health.

LEGISLATIVE COUNSEL'S DIGEST

AB 93, as amended, Cedillo. ~~Children: Healthy Families Program: Medi-Cal Program~~ *program: eligibility determinations.*

~~Existing law establishes the Healthy Families Program administered by the Managed Risk Medical Insurance Board to arrange for the provision of health, dental, and vision services to eligible children pursuant to a federal program, entitled the State Children's Health Insurance Program. Under existing law, in order to be eligible, an applicant must~~

~~be applying on behalf of a child, who meets certain requirements, including being in a family having a gross annual household income equal to or less than 200% of the federal poverty level, and meeting the citizenship and immigration status requirements established by federal law. Existing law provides for the federal medicaid program, administered by each state, California's version of which is the Medi-Cal program. The Medi-Cal program, which is administered by the State Department of Health Services, provides qualified low-income persons with health care services.~~

~~Existing law continuously appropriates money from the Healthy Families Fund for purposes of implementation of the Healthy Families Program.~~

~~The bill would provide that any child enrolled in specified programs shall be deemed to have met the income eligibility requirements for the Healthy Families Program and the Medi-Cal program. This bill would provide that this provision shall not be implemented in any fiscal year in which funds have not been specifically designated in the Budget Act for that fiscal year for implementation of that provision.~~

~~Existing law requires certain Medi-Cal recipients to file annual reaffirmations of eligibility and at other times as specified by the department.~~

~~This bill would eliminate the authority of the department to require additional reaffirmations of eligibility and would, commencing January 1, 2001, require the department to eliminate quarterly status reports.~~

~~Because each county is responsible for Medi-Cal eligibility determinations, and because this bill would expand Medi-Cal eligibility, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~



This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 12693.755 is added to the~~
2 ~~Insurance Code, to read:~~
3 ~~12693.755. (a) Any child who is enrolled in any of the~~
4 ~~following programs shall be deemed to have met the~~
5 ~~income eligibility requirements for participation in the~~
6 ~~Healthy Families Program and the Medi-Cal program:~~
7 ~~(1) The Food Stamp Program, provided for pursuant~~
8 ~~to Chapter 10 (commencing with Section 18900) of Part~~
9 ~~6 of Division 9 of the Welfare and Institutions Code.~~
10 ~~(2) The California Special Supplemental Food~~
11 ~~Program for Women, Infants, and Children, provided for~~
12 ~~pursuant to Article 2 (commencing with Section 123275)~~
13 ~~of Chapter 1 of Part 2 of Division 106 of the Health and~~
14 ~~Safety Code.~~
15 ~~(3) The federal Head Start program, provided for~~
16 ~~pursuant to Subchapter 2 (commencing with Section~~
17 ~~9831) of Chapter 105 of Title 42 of the United States Code.~~
18 ~~(4) The federal School Lunch programs, provided for~~
19 ~~pursuant to Chapter 13 (commencing with Section 1751)~~
20 ~~of Title 42 of the United States Code.~~
21 ~~(b) Agencies administering programs specified in~~
22 ~~subdivision (a), the State Department of Health Services,~~
23 ~~and the board shall implement streamlined processes for~~
24 ~~establishing eligibility of a child enrolled, or applying for~~
25 ~~participation, in the Healthy Families Program or the~~
26 ~~Medi-Cal program, and shall not require the child to~~
27 ~~provide any unnecessary or duplicative information. The~~
28 ~~State Department of Health Services shall be the lead~~
29 ~~agency in charge of this effort.~~
30 ~~(c) Agencies administering the Healthy Families~~
31 ~~Program and the Medi-Cal program shall fully cooperate~~

~~1 in distributing information and providing enrollment
2 information to the State Department of Health Services
3 and the board or their designees, to the maximum extent
4 permitted by federal and state law.~~

~~5 (d) Enrollment information shall be used by the State
6 Department of Health Services and the board or their
7 designees for the sole purpose of determining a child's
8 eligibility for benefits under the Healthy Families
9 Program or the Medi-Cal program.~~

~~10 (e) The State Department of Health Services and the
11 board shall implement subdivisions (a) to (d), inclusive,
12 by not later than July 1, 2001.~~

~~13 (f) The State Department of Health Services shall
14 assess what other public programs the eligibility for
15 which may be used to meet income eligibility
16 requirements for the Healthy Families Program and the
17 Medi-Cal program, shall develop a plan for utilizing those
18 requirements in determining eligibility for the Healthy
19 Families Program and the Medi-Cal program, and shall
20 submit the plan to the appropriate fiscal and policy
21 committees of the Legislature.~~

~~22 (g) This section shall not be implemented in any fiscal
23 year in which funds have not been specifically designated
24 in the Budget Act for that fiscal year for the
25 implementation of this section.~~

~~26 SEC. 2. Section 14011.15 of the Welfare and
27 Institutions Code is amended to read:~~

~~28 14011.15. (a) The department shall, not later than
29 July 1, 2000, create and implement a simplified
30 application package for children, families, and adults
31 applying for Medi-Cal benefits. This simplified
32 application package shall include a simplified
33 supplemental resource form.~~

~~34 (b) In developing the application package described
35 in subdivision (a), the department shall seek input from
36 persons with expertise, including beneficiary
37 representatives, counties, and beneficiaries.~~

~~38 (c) The department shall allow an applicant to apply
39 for benefits by mailing in the simplified application
40 package.~~

~~(d) The simplified application package shall utilize at a minimum, all of the following documentation standards:~~

~~(1) Proof of income shall be documented by the most recent paystub or a copy of the last year's federal income tax return.~~

~~(2) Self-declaration of pregnancy.~~

~~(3) A simplified supplemental resource form, if applicable.~~

~~(e) The department shall not require an applicant who submits a simplified application pursuant to this section to complete a face-to-face interview, except for good cause, a suspicion of fraud, or in order to complete the application process. A county shall conduct random monitoring of the mail-in application process to ensure appropriate enrollment. Every application package shall contain a notification of the applicant's right to complete a face-to-face interview.~~

~~(f) Commencing January 1, 2001, the department shall eliminate quarterly status reports.~~

~~(g) The department shall implement this section only to the extent that its provisions are not in violation of the requirements of federal law, and only to the extent that federal financial participation is not jeopardized.~~

~~(h) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the department shall implement this section by means of an all county letter or similar instruction without taking regulatory action. Thereafter, the department shall adopt regulations in accordance with the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.~~

~~SEC. 3.—~~

SECTION 1. Section 14011.15 of the Welfare and Institutions Code is amended to read:

14011.15. (a) The department shall, not later than July 1, 2000, create and implement a simplified application package for children, families, and adults applying for Medi-Cal benefits. This simplified

1 application package shall include a simplified
2 supplemental resource form.

3 (b) In developing the application package described
4 in subdivision (a), the department shall seek input from
5 persons with expertise, including beneficiary
6 representatives, counties, and beneficiaries.

7 (c) The department shall ~~allow~~ *permit* an applicant to
8 apply for benefits by mailing in the simplified application
9 package.

10 (d) The simplified application package shall utilize at
11 a minimum, all of the following documentation standards:

12 (1) Proof of income shall be documented by the most
13 recent paystub or a copy of the last year's federal income
14 tax return.

15 (2) Self-declaration of pregnancy.

16 (3) A simplified supplemental resource form, if
17 applicable.

18 (e) The department shall not require an applicant
19 who submits a simplified application pursuant to this
20 section to complete a face-to-face interview, except for
21 good cause, a suspicion of fraud, or in order to complete
22 the application process. A county shall conduct random
23 monitoring of the mail-in application process to ensure
24 appropriate enrollment. Every application package shall
25 contain a notification of the applicant's right to complete
26 a face-to-face interview.

27 (f) Commencing January 1, 2001, the department shall
28 eliminate the requirement that recipients file quarterly
29 status reports.

30 (g) The department shall implement this section only
31 to the extent that its provisions are not in violation of the
32 requirements of federal law, and only to the extent that
33 federal financial participation is not jeopardized.

34 (h) Notwithstanding Chapter 3.5 (commencing with
35 Section 11340) of Part 1 of Division 3 of Title 2 of the
36 Government Code, the department shall implement this
37 section by means of an all county letter or similar
38 instruction without taking regulatory action. Thereafter,
39 the department shall adopt regulations in accordance
40 with the requirements of Chapter 3.5 (commencing with

1 Section 11340) of Part 1 of Division 3 of Title 2 of the
2 Government Code.

3 *SEC. 2.* Section 14012 of the Welfare and Institutions
4 Code is amended to read:

5 14012. Reaffirmation shall be filed annually.

6 ~~SEC. 4.~~

7 *SEC. 3.* Notwithstanding Section 17610 of the
8 Government Code, if the Commission on State Mandates
9 determines that this act contains costs mandated by the
10 state, reimbursement to local agencies and school
11 districts for those costs shall be made pursuant to Part 7
12 (commencing with Section 17500) of Division 4 of Title
13 2 of the Government Code. If the statewide cost of the
14 claim for reimbursement does not exceed one million
15 dollars (\$1,000,000), reimbursement shall be made from
16 the State Mandates Claims Fund.

